expressly distinguished upon the ground that 'there a new and independent contract for intrastate shipment was made, the interstate transportation having been completely performed.' It was similarly distinguished in the Sabine Tram Company Case, supra (227 U. S. 130, 33 Sup. Ct. 229, 57 L. Ed. 442)—citing the language just quoted —as well as in others of the cases we have discussed. But neither of these two cases has been overruled or criticized. * * *

"May not a passenger by rail, desiring to travel from a point in one state to a point in another state, lawfully pay the local fare to the state line (or the interstate fare to a point beyond the state line) and then pay the local fare therefrom to a point within the state; or, again, may not one, in the course of shipping freight from one state to another, lawfully ship to the state line or just beyond it, at the local or interstate rate, as the case may be, and there receive actual delivery of the freight and thereupon reship locally? Neither of the suggested cases seems, in principle, opposed to the Interstate Commerce Act, for, in each case, the passenger or shipper, as the case may be, loses the benefit of a through shipment. The passenger may have to leave the train to buy a new ticket, or may be required to pay his fare, perhaps at an inconvenient time, or to take the risk of inconvenience otherwise, as in respect to rechecking baggage. The shipper of freight must personally or by agent go to the trouble of accepting delivery and making reshipment, perhaps submitting to delays and (if in carload shipment) perhaps to unloading and reloading and possibly to paying demurrage. He also loses the benefit of the liability of the initial carrier. In each case some benefit incident to through transportation is given up. That such transaction is not necessarily a mere evasion of the act, and so unlawful, finds express support in Gulf, etc., Ry. Co. *v.* Texas, supra, 204 U. S. at page 413, 27 Sup. Ct. 360, 51 L. Ed. 540."

Religious Societies—Jurisdiction of Courts over Religious Questions.—In Bendewald *v.* Levy, 168 N. W. 693, the Supreme Court of North Dakota held that a civil court has no jurisdiction to decide doctrinal questions or the existence of schisms in religious denominations as such matters are for the determination of the ecclesiastical authority or judicatories which exist within the religious organization. The court said: "We are asked to determine the fundamental orthodox doctrines of the Lutheran Church by investigating and examining its symbolical books, its confessions of faith, such as are found in the Augsburg Confessions and portions of the Smalcald Articles, and other fundamental sources of authority upon which such faith rests, and to determine whether or not the defendants have departed from such faith, or which of the two contesting parties to this action are adhering to the orthodox principles of such forth. To do this is not within the power of the civil courts,

but the passing and deciding upon all such doctrinal questions is exclusively the privilege of some ecclesiastical authority to be found within such religious denomination, or in some synod or council with which it is associated. Within its own membership such church has many eminent theologians who have devoted their entire life to the study and analysis of all such doctrinal questions. They have their synods and congregations, and in the one or the other lies ecclesiastical power to determine for themselves, as they see best and as meets the approval of their conscience, all these disputed questions of doctrines and tenets of faith, and to them and to their ecclesiastical authority should be left the solution of all such questions. What authority or what right has a civil court to tell any individual when he is digressing from the fundamental principles, authority, or law upon which his faith rests? It amounts to an interference by the civil courts with the right of conscience, and is a long step toward interference with the right of religious liberty and worship.

"The first amendment to the Constitution of the United States denies to Congress the power to make any law respecting an establishment of religion, or prohibiting the free exercise thereof. To the same effect is section 4 of article 1 of the Constitution of the state of North Dakota. By each Constitution the civil authorities are denied the right to control or in any manner interfere in purely ecclesiastical matters. So far as the civil authority is concerned every person within the jurisdiction of the United States may determine for himself all questions which have reference to his relation to his Creator. As was said in the case of Mack *v.* Kime, 129 Ga. 17, 58 S. E. 191, 24 L. R. A. (N. S.) 685:

'No civil authority can coerce him to accept any religious doctrine or teaching or restrain him from associating himself with any class or organization which promulgates religious teachings. Whether he shall adopt any religious views, or if so, what shall be the character of those views and the persons with whom he shall associate in carrying out the particular views, are all questions addressed to his individual conscience, which no human authority has a right, even in the slightest way, to interfere with, so long as his practices in carrying out his peculiar views are not inconsistent with the peace and good order of society.'

"The civil authority, both legislative and judicial, are traversing, under our Constitutions, both national and state, in forbidden and prohibited territory when they assume to legislate, or to interpret laws which undertake to define and interpret doctrinal and ecclesiastical questions, so as to be binding upon individuals or interfere with the determination of the individual conscience with reference thereto."